

Wednesday, June 29, 2005

To whom it may concern:

Please cease all attempts to curtail privacy laws related to telemarketing, such as those enforced in Indiana. These laws are critical in protecting the rights of citizens against unwanted calls. It is true that the first amendment protects free speech; however, we must not go as far as to interpret the first amendment as to infringing upon the rights of others to choose what they want to hear, particularly in one's own home. When one places oneself on a no-call list, one is making it clear that telemarketing calls are not welcomed. In a perfect society, businesses would simply respect the desires of people on no-call lists and no formal legislation would be required. Unfortunately, telemarketing firms have consistently demonstrated that they do not respect people's wishes to not receive solicitations over the phone. Thus, in order for individual privacy to be protected the people of states and commonwealths must come together and support legislation which gives harsh consequences to marketing firms that violate citizens' request for privacy.

One may question if there is already a precedent of private citizens being able to protect their privacy from unwanted solicitation. I point to the case of door-to-door salesperson. In order to protect one's privacy from unwanted solicitation in the case of a door-to-door salesperson, one only has to post a sign that read "no solicitation." Thus, if a door-to-door salesperson ignores the sign, the salesperson is trespassing and appropriate legal ramifications can be taken. Thus, no-call list legislation is simply taking existing precedents and applying them to telecommunications. The larger issue at state here is as technology expands, will we expand existing privacy laws in order to maintain a comparable level of privacy, or will we allow ourselves to be left unprotected against invasions of our privacy? I strongly urge that we pursue a policy of the former.

Sincerely,

John J. Orczyk